

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**KAREEM MILLHOUSE,**

**Plaintiff**

**v.**

**CHARLES SAMUALS, et al.,**

**Defendants**

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**Civil No. 1:15-cv-1644**

**Judge Sylvia H. Rambo**

**Magistrate Judge Carlson**

**ORDER**

Before the court is an August 27, 2015 report and recommendation of the magistrate judge (Doc. 6) to whom this matter was referred, in which he recommends that the court grant Millhouse leave to proceed *in forma pauperis* in this case (Doc. 2), but that the court dismiss all of the claims and defendants named in the complaint, aside from the failure to protect claim against Defendant Smith, for failure to state a claim upon which relief can be granted without prejudice. Objections to the report and recommendation were due no later than September 14, 2015, and, to date, no objections have been filed.

Therefore, upon consideration of the record before the court and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The court adopts the report and recommendation of Magistrate Judge Carlson (Doc. 6);
- 2) Millhouse is granted leave to proceed *in forma pauperis*;
- 3) All of the claims and defendants named in the complaint, with the exception of the failure to protect claim against Defendant Smith, are **DISMISSED WITHOUT PREJUDICE** for failure to state a claim upon which relief can be granted;

- 4) Plaintiff is granted leave to amend his complaint in accordance with this order and the accompanying report and recommendation within 20 days of this order. Any amended complaint shall be complete in and of itself and shall be filed within fourteen days from today's date;
- 5) This matter is remanded to the magistrate judge for any further proceedings.

s/Sylvia H. Rambo  
United States District Judge

Dated: October 13, 2015.